

“EXHIBIT 5”

~~CONFIDENTIAL~~
~~STATEMENT OF~~

POLICE OFFICER III JESUS MARTINEZ (1st Intv.)

Senior Administrative Clerk V. Shaw, Serial No. N4488, reviewed the digital recording (TP97254, F004-22) and transcription of Officer Martinez's interview. The inaudible recordings that were clearly audible are listed below. All others remain inaudible.

PAGE **LINE** **INAUDIBLE/CORRECTIONS**

06	15	DELETE: I
06	16	REPLACE: mike WITH: mic
06	25	REPLACE: mike WITH: mic
07	10	REPLACE: eminent WITH: imminent
21	05	REPLACE: can WITH: couldn't

MURKIN COLA
CV22-03188 DMG (SKx)

SUBJECT TO
PROTECTIVE ORDER

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LOS ANGELES POLICE DEPARTMENT
Force Investigation Division

In the Matter of:
Officer-Involved Shooting) DR. No.
Transcription of Recorded) FID No. F004-22
Interview of Police Officer) Audio No Martinez
Jesus Martinez, #37593)
)
)

MURILLO V. COIA

CV22-03188 DMG (SKx)

Transcription of recorded abbreviated interview of
Officer Jesus Martinez by Detective Anthony Rheault and
Detective Justin Fuller. Also, present Attorney David
Winslow, transcribed by Julie Ito.

SUBJECT TO
PROTECTIVE ORDER

Transcribed by:
Julie Ito

Job Number:
TP97254

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CITY 000803

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1 Audio No. Officer Jesus Martinez

2

3 DETECTIVE RHEAULT: Today's date is February 1st, 2022.

4 The time now is 1528 hours. I'm Detective Anthony Rheault,
5 first name, common spelling; last name spelled,
6 R-h-e-a-u-l-t, Serial Number 33961, assigned to Force

7 Investigation Division. And I'm here at Foothill Station to
8 interview Police Officer III Jesus Martinez. Sir, for voice

9 recognition purposes, could you state and spell your name
10 for me, please?

11 OFFICER MARTINEZ: Yes, sir. Jesus, J-e-s-u-s,
12 Martinez, M-a-r-t-i-n-e-z.

13 DETECTIVE RHEAULT: And your serial number is 37593?

14 OFFICER MARTINEZ: Yes, sir.

15 DETECTIVE RHEAULT: All right. This is regarding a
16 officer-involved shooting incident that occurred at 12935
17 Desmond Street. That's spelled David, Edward, Sam, Mary,
18 ocean, Nora, David on February 1st, 2022. Also present for

19 the interview is?

20 DETECTIVE FULLER: Detective II Justin Fuller,

21 J-u-s-t-i-n, F-u-l-l-e-r, Serial Number 37232 from Force
22 Investigation Division.

23 ATTORNEY DAVID WINSLOW: David Winslow, W-i-n-s-l-o-w,
24 attorney for Officer Martinez.

25 DETECTIVE RHEAULT: All right. Officer Martinez, has

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1 everyone in the room been identified?

2 OFFICER MARTINEZ: Yes, sir.

3 DETECTIVE RHEAULT: Okay. And before we begin the
4 interview, will you provide a voluntary statement?

5 OFFICER MARTINEZ: No.

6 DETECTIVE RHEAULT: Since you declined to provide a
7 voluntary statement, I must read you the following: The
8 entire investigation concerning this incident including this
9 digitally-recorded interview is classified as confidential
10 by the Chief of Police. Do you understand?

11 OFFICER MARTINEZ: Yes.

12 DETECTIVE RHEAULT: As a supervisor of the Los Angeles
13 Police Department and as authorized by the Chief of Police,
14 I want to inform you that your silence could be deemed as
15 insubordination and could lead to administrative discipline
16 which could result in your discharge or removal from office.
17 And that any statement made under the compulsion of the
18 threat of such discipline cannot be used against you in any
19 subsequent criminal proceeding. Do you have any questions?

20 OFFICER MARTINEZ: No.

21 DETECTIVE RHEAULT: Okay. I hereby order you to answer
22 all questions and provide a statement in this matter.

23 Before this interview, did you have an opportunity to view
24 your body-worn video?

25 OFFICER MARTINEZ: Yes, sir.

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1 DETECTIVE RHEAULT: Okay. And did you have an
2 opportunity to review your digital in-car video system?

3 OFFICER MARTINEZ: No, sir.

4 DETECTIVE RHEAULT: Okay. Now regarding your digital
5 in-car video system, it is my understanding that your police
6 vehicle was parked approximately half a block away from the
7 incident?

8 ~~MURITILLO V. COLA~~
OFFICER MARTINEZ: That's correct.

9 DETECTIVE RHEAULT: And -- and -- and directed in a
10 direction that would not have captured this incident?

11 OFFICER MARTINEZ: Yes, sir.

12 DETECTIVE RHEAULT: Okay. In regarding body-worn
13 video, I did not show you your entire video. I showed you
14 approximately two minutes prior to the OIS and to the
15 completion of it, maybe three or four minutes after the OIS,
16 is that correct?

17 OFFICER MARTINEZ: Yes, sir.

18 ~~SUBJECT TO PROTECTIVE ORDER~~
DETECTIVE RHEAULT: We'll view your entire body-worn
19 video in its entirety tomorrow when we do a
20 full-comprehensive interview. Today's interview is going to
21 be limited to your -- your decision to use deadly force.

22 OFFICER MARTINEZ: Yes, sir.

23 DETECTIVE RHEAULT: Okay. Have you viewed any
24 body-worn video or digital in-car video of this incident
25 without FID present?

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1 OFFICER MARTINEZ: No, sir.

2 DETECTIVE RHEAULT: And have you viewed any other video
3 such as news reports, social media or any content regarding
4 this incident?

5 OFFICER MARTINEZ: No.

6 DETECTIVE RHEAULT: Okay. Today's the 1st of February.

7 I understand you work morning watch. Taking you back to
8 January 31st, when was your start of watch?

9 OFFICER MARTINEZ: 1845.

10 DETECTIVE RHEAULT: 1845. Okay. And what time did you
11 wake up on the 31st?

12 OFFICER MARTINEZ: 1600.

13 DETECTIVE RHEAULT: 1600. Okay. And how many hours of
14 sleep did you get?

15 OFFICER MARTINEZ: Approximately six.

16 DETECTIVE RHEAULT: Six. Okay. And as I indicated
17 it's -- it's now approximately 1530. You woke up 1600. So,
18 you're going on your -- have been awake for about 23 and a

19 half hours

20 OFFICER MARTINEZ: Yes, sir.

21 DETECTIVE RHEAULT: -- at a minimum? Okay. Do you
22 feel that you can participate in this abbreviated interview
23 right now?

24 OFFICER MARTINEZ: Yes, sir.

25 DETECTIVE RHEAULT: Okay. All right. Officer

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1 Martinez, what I'd like you to do is take me back to the
2 incident just prior to using deadly force. Can you tell me
3 where you're positioned and what is occurring at the
4 incident during at that time?

5 OFFICER MARTINEZ: Yes. I was actually standing next
6 to my partner Officer Gutierrez in front of the mailbox. He
7 was less lethal with a beanbag shotgun. We had heard that
8 the suspect was coming out the back and possibly had two
9 knives in his hand.

CV22-03188 DMG (SK)
10 I perceived he was going to be, you know, doing the
11 same thing he was doing all night is just talking back and,
12 you know, just yelling like he was when I was trying to
13 communicate with him for the 30 minutes, I was trying to
14 talk to him. So, I went back to the car. The officer that
15 I was trying to communicate with him with the PA stopped
16 using it. I picked up the mike and I tried to communicate
17 with him. I knew his name. I felt I had a good rapport
18 with him.

19 And, you know, advised him to come out, draw, you
20 know, we don't want to hurt him. Come out with his hands up
21 and next thing I know they're saying he's coming out the
22 front. I hear what sounds like a less lethal round go off
23 to my left towards the west and then I hear the beanbag go
24 off to my right.

25 I dropped the mike and then in like seconds is when

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1 I see the suspect in front of my spotlight and I'm, at this
2 point, I'm behind the passenger door as cover and he crosses
3 right in front of the spotlight and that's when I see the
4 knife in his hand. It is shimmering silver and shiny.
5 And that's when I shot two rounds to stop his action because
6 he was running right towards my partners, Officer Gutierrez
7 and officer the gang officer, Officer?

ATTORNEY DAVID WINSLOW: Griffin?

OFFICER MARTINEZ: Griffin. So, I felt like he posed

an eminent threat of -- of serious bodily injury to them and

to myself and that's when I shot twice. The suspect fell,
fell approximately, I don't know, I'd say three feet in
front of me. And I kind of redeployed backwards a little
bit away from the door because he was turning towards me and
I -- I was in fear.

I felt like he was going to get back up because it

just -- I seen this man just run through beanbag rounds.

And, you know, with his determination to come at me and my
partners I felt like he was going to come back up and try to
stab me with the knife or whatever and that's when I fired
one more round stopping the --

ATTORNEY DAVID WINSLOW: How -- how close was he to you
at that point?

OFFICER MARTINEZ: I -- it was really close, sir. I'd
say maybe three feet at this point just to the east of my

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1 passenger door.

2 DETECTIVE RHEAULT: Okay. Okay. I'll get us oriented
3 here. So, you indicated that -- that you're -- you're near
4 a passenger door of a vehicle. Is that a police vehicle?

5 OFFICER MARTINEZ: Yes, it is.

6 DETECTIVE RHEAULT: Okay. And where -- was that moving
7 or was it stopped?

8 OFFICER MARTINEZ: It was in the apron of the residence
9 located -- at the location and we were using it as a PA to
0 communicate with the suspect prior while he was in the house
1 going from window to window and we used the vehicle as cover
2 as well.

13 DETECTIVE RHEAULT: I see. And when you say apron of
14 the residence is that the apron of the driveway?

15 OFFICER MARTINEZ: The driveway. Yes, sir.

16 DETECTIVE RHEAULT: Okay. All right. So, if I'm

17 looking at the house is -- is that direction am I looking
18 north?

19 OFFICER MARTINEZ: Yes, sir.

20 DETECTIVE RHEAULT: Okay. I got you. And -- and we
21 can use these interchangeably in today's interview and
22 tomorrow's interview. But as far as tactics is that
23 considered the -- the front of the house considered the one
24 side?

25 OFFICER MARTINEZ: Yes, sir.

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1 DETECTIVE RHEAULT: Okay. And then going clockwise the
2 west side of the house would be the two side?

3 OFFICER MARTINEZ: Yes, sir.

4 DETECTIVE RHEAULT: Okay.

5 OFFICER MARTINEZ: Yes, sir. Correct.

6 DETECTIVE RHEAULT: I see. All right. Now you

7 indicated that you heard something in the back. What -- did
8 you hear the sound or you heard something over the radio.

9 What do you --

CV22 03188 DMC (SKx)
10 OFFICER MARTINEZ: I -- I heard what sounded like -- to
11 me, it sounded like and I -- I describe because I hear it
12 a lot at work, a security gate fling -- swinging open or a
13 box being thrown or I pictured like him. And I don't know
14 what's over there but I -- I pictured him coming out of the
15 house and swinging that door open. Yeah. So, that's what I
16 -- and then that's when the officers put it out that he's
17 coming out the side of the house --

18 DETECTIVE RHEAULT: Okay.

19 OFFICER MARTINEZ: -- with two knives in his hand.

20 DETECTIVE RHEAULT: With two knives. And when they put
21 it out, is that over the air or are you hearing their
22 voices?

23 OFFICER MARTINEZ: That's over the air and that's when
24 I redeployed back to the passenger seat to get the mike to
25 try to calm him down. And it seemed like as soon as he

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1 stopped, he didn't hear my voice is when he lost it and I --
2 I -- that's how I felt because I -- I don't know if you're
3 going to hear in the video I keep talking and talking.

4 And he's -- he's coming to the window and saying,
5 you know, stuff that doesn't make sense but I had that
6 communication knowing that MEU was en route. SWAT was
7 en route and my job was just to -- just keep him at the
8 window. And so that's why I went back when I heard he was
9 coming out of the house to get him at least to stop and
10 remember my voice or something. ~~MURKIN~~ ~~COA~~ CV22-03188 DMG (SKx)

11 DETECTIVE RHEAULT: I see. And we'll get into the
12 exact chronology --

13 OFFICER MARTINEZ: Okay.

14 DETECTIVE RHEAULT: -- of what you did when in relation
15 to when you were talking to him and seeing him. We'll --
16 we'll get all that ironed out. You referred that you heard
17 a -- a metal gate opening or something similar?

18 OFFICER MARTINEZ: Yes, sir.

19 DETECTIVE RHEAULT: Okay. When did you first see the
20 suspect -- physically see the suspect after hearing that
21 sound?

22 OFFICER MARTINEZ: I saw something moving out of my
23 corner of my eye but I fit -- I saw him clearly in front of
24 a passenger spotlight that was shiny at the window where I
25 was communicating with him.

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1 DETECTIVE RHEAULT: Okay.

2 OFFICER MARTINEZ: And the first time I see him clearly
3 is when he just crosses that -- that spotlight --

4 DETECTIVE RHEAULT: I see.

5 OFFICER MARTINEZ: -- with a knife in his hand.

6 DETECTIVE RHEAULT: Okay. And now you indicated that
7 spotlight was directed at a window. What side of the house
8 using our numbering system now was that window on?

9 OFFICER MARTINEZ: The window -- the window is on the
10 one side facing east.

CV2 2-03188 DMG (SKx)
11 DETECTIVE RHEAULT: Okay. I see. So, one side but the
12 actual -- the actual window faces east?

13 OFFICER MARTINEZ: Yes, sir.

14 DETECTIVE RHEAULT: Okay. All right. So, when you
15 observed him cross into your spotlight how far out from --
16 and you indicated you're at the passenger door?

17 OFFICER MARTINEZ: Yes, sir.

18 DETECTIVE RHEAULT: How far and I'm assuming north of
19 you is he or and you tell me what direction he is. I
20 apologize.

21 OFFICER MARTINEZ: He is just on the other side of the
22 door in front of the door north of me maybe from me to you.

23 Is that four, five feet?

24 DETECTIVE RHEAULT: Okay. And -- and I too would
25 estimate that distance to be four and a half feet.

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1 OFFICER MARTINEZ: Yeah.

2 DETECTIVE RHEAULT: I would. Okay. What is he doing
3 at that point?

4 OFFICER MARTINEZ: He is running full speed --

5 DETECTIVE RHEAULT: Uh-huh.

6 OFFICER MARTINEZ: -- in like a running back aggressive

7 maneuver right at my partners who was less lethal with no
8 protection besides my other partner Officer Griffin and --

9 and towards me. He was running in our direction.

CV22 03188 DMC (SKxx)
10 DETECTIVE RHEAULT: I see. Okay. And is the passenger
11 door open at this point?

12 OFFICER MARTINEZ: Yes, sir.

13 DETECTIVE RHEAULT: And you're behind it?

14 OFFICER MARTINEZ: Yes, sir.

15 DETECTIVE RHEAULT: Okay. The -- in relation to the
16 other officers you mentioned Griffin and the other officer,
17 your partner with the less lethal?

18 OFFICER MARTINEZ: Yes, sir.

19 DETECTIVE RHEAULT: Direction on a compass, what
20 direction are they from you?

21 OFFICER MARTINEZ: They are northeast of me behind the
22 mailbox located in front of location.

23 DETECTIVE RHEAULT: I see. Okay. Northeast.

24 OFFICER MARTINEZ: So -- so, the door -- so they are
25 between the passenger door and the mailbox.

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1 DETECTIVE RHEAULT: Okay. Okay. I see. The open
2 passenger door and that mailbox?

3 OFFICER MARTINEZ: Yes, sir.

4 DETECTIVE RHEAULT: Okay. And further east of you is
5 there any -- any -- any other objects or cover or anything?

6 OFFICER MARTINEZ: There's a tree, a bush, and then
7 just sidewalk and then that's it.

8 ~~MURKED V GOTA~~
CV2 2-03188 DMC (SKX)
9 DETECTIVE RHEAULT: Okay. And when you described him
10 running at you like a running back what you're demonstrating
and correct me if I get any part of this wrong. You had
11 both fists just below chest level with your arms bent and
12 your -- your fists were towards the center line of -- of
13 your chest and you actually leaned your torso forward and --
14 and actually hunched your shoulders?

15 OFFICER MARTINEZ: Hunched shoulder. Yes, sir.

16 DETECTIVE RHEAULT: And is that --

17 OFFICER MARTINEZ: That's correct.

18 DETECTIVE RHEAULT: That's what you observed?

19 OFFICER MARTINEZ: Yes, sir.

20 DETECTIVE RHEAULT: Okay. And which -- which hand was
21 he holding the knife?

22 OFFICER MARTINEZ: You know, sir, I don't recall. I --
23 I, you know, I want to say it was a right hand but I'm not
24 too sure.

25 DETECTIVE RHEAULT: Okay.

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1 OFFICER MARTINEZ: All I remember seeing was the
2 shimmering of that object, a knife in his hand in front of
3 my spotlight and yeah, that's what I remember seeing.

4 DETECTIVE RHEAULT: Okay. Can you describe? And now
5 you -- you described it as a -- a shimmering object. It --
6 well, what did you observe it to be?

7 OFFICER MARTINEZ: A knife.

8 DETECTIVE RHEAULT: Okay.

9 OFFICER MARTINEZ: Yes, sir.

10 DETECTIVE RHEAULT: It was a knife?

11 OFFICER MARTINEZ: Yes, sir.

12 DETECTIVE RHEAULT: Okay. And you -- can you describe
13 it for me?

14 OFFICER MARTINEZ: I can't tell if it was a kitchen
15 knife or steak knife but, you know, it was clear in the
16 light, you know, it was shining silver.

17 DETECTIVE RHEAULT: Okay. And -- and a length of the
18 blade, could you estimate?

19 OFFICER MARTINEZ: I'd say maybe four inches, five
20 inches.

21 DETECTIVE RHEAULT: I see.

22 OFFICER MARTINEZ: Approximately.

23 DETECTIVE RHEAULT: And handle material, do you --

24 OFFICER MARTINEZ: I couldn't tell, sir.

25 DETECTIVE RHEAULT: Okay.

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1 different terms you were demonstrating for me, I believe you
2 said you didn't even have time to -- was it punch out or
3 push out?

4 OFFICER MARTINEZ: Push out --

5 DETECTIVE RHEAULT: Okay.

6 OFFICER MARTINEZ: -- I guess into a -- a -- I'm sorry.

7 DETECTIVE RHEAULT: No. I'll describe it.

8 OFFICER MARTINEZ: A shooting stance.

9 DETECTIVE RHEAULT: Okay.

10 OFFICER MARTINEZ: Or, you know, with my arms straight
11 out.

12 DETECTIVE RHEAULT: When you said you were unable to
13 push out into a shooting stance, what you did you had your
14 hands together as if you're shooting a handgun with your
15 left hand wrapped around your right hand. And you went to
16 demonstrate locking your elbows but you came short of that
17 and said you were unable to push out. And then you actually
18 brought your hands into your chest to the point where your
19 support hand, your left hand dropped away and -- and you
20 brought your right fist close to your right pectoral?

OFFICER MARTINEZ: Yes, sir.

DETECTIVE RHEAULT: Okay. And that's what you
described as close contact?

OFFICER MARTINEZ: Yes, sir.

DETECTIVE RHEAULT: Okay. And you believed you fired

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in that position?

2 OFFICER MARTINEZ: Yes, sir. I believe so.

3 DETECTIVE RHEAULT: Okay. And the reason you fired in
4 that position again?

5 OFFICER MARTINEZ: I felt he was so close that, you
6 know -- you know, I just see this man take rounds and coming
7 at an aggressive, you know. I perceived him to stab my
8 partner or me and the last thing I want to know is try to
9 grab my gun.

10 DETECTIVE RHEAULT: Okay.

11 OFFICER MARTINEZ: So.

12 DETECTIVE RHEAULT: Did -- before you fired that second
13 round, did you see him possessing the knife?

14 OFFICER MARTINEZ: I did. Yes.

15 DETECTIVE RHEAULT: Okay. Did anything in his body
16 position or his pace or anything change between your first
17 and second round?

18 OFFICER MARTINEZ: No, not at all. He kept coming

19 straight at us.

20 DETECTIVE RHEAULT: I see. Okay. Now when describing
21 your third round when -- when he's on the ground, what are
22 you observing prior to firing that -- that third round?

23 OFFICER MARTINEZ: So, I see him. So, after taking in
24 everything that just happened, you know, I'm going to be
25 honest, I'm a little freaked out. I'm a little scared.

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1 This guy's still rolling around. And so, what I see is I
2 see him still moving, rolling in a south direction towards
3 me and I believed he was going to get back up and try.
4 And at that point, I was already back-pedaling. So, I
5 believed and I felt like I was trapped between a bush. I
6 don't know who was behind me. I don't want to fall back and
7 I believed he was going to get back up and try to stab me.

8 DETECTIVE RHEAULT: Okay. You said he was rolling

9 south?

CV22 10 OFFICER MARTINEZ: Yeah. I -- I remember him on his
11 back rolling towards me.

12 DETECTIVE RHEAULT: Okay. So, prior to him starting
13 that -- and I don't know at what point you're seeing it but
14 what position is he rolling from and -- and starting to roll
15 to? Do -- do you know what I mean?

16 OFFICER MARTINEZ: Yeah.

17 DETECTIVE RHEAULT: Was he on his belly or is he on his
18 back, on his side?

19 OFFICER MARTINEZ: I remember him on his left side
20 rolling towards me. So, left side. Actually, I'm sorry. I
21 remember him on his right side rolling towards me.

22 DETECTIVE RHEAULT: Okay. And what direction is his
23 head facing?

24 OFFICER MARTINEZ: His head is facing west and I'm
25 south of him.

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1 DETECTIVE RHEAULT: Okay. And he's on his right side
2 and he's -- he's rolling south and -- and -- and --

3 OFFICER MARTINEZ: Yeah.

4 DETECTIVE RHEAULT: -- what you -- I observe you doing,
5 it -- it appeared you were rolling, I guess, it would be
6 clockwise for him towards his -- from his right side towards
7 his across his belly to his left side?

8 OFFICER MARTINEZ: Yeah.

9 DETECTIVE RHEAULT: Yeah.

10 OFFICER MARTINEZ: Yeah. He's still moving. He's

11 nonstop.

12 DETECTIVE RHEAULT: Was that correct? I didn't -- I
13 don't want to --

14 OFFICER MARTINEZ: That's correct. Yes, sir.

15 DETECTIVE RHEAULT: Okay. Well, how far into that
16 motion was he able to complete when -- when you fired?

17 OFFICER MARTINEZ: Full motion, I believe. I -- I
18 think he was -- he was going towards his stomach. He was --

19 I felt like he was just going to pop back up.

20 DETECTIVE RHEAULT: So, he went from his right side and
21 now he's on his stomach?

22 OFFICER MARTINEZ: Yeah. Yeah.

23 DETECTIVE RHEAULT: And you believed he just popped.

24 OFFICER MARTINEZ: Yeah.

25 DETECTIVE RHEAULT: Did he ever get to his left side?

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1 OFFICER MARTINEZ: I don't recall, sir.

2 DETECTIVE RHEAULT: Okay. And you believed he's going
3 to pop up. Where were his hands when --

4 OFFICER MARTINEZ: His hands were still tucked in. I
5 didn't see his hands. I couldn't. You know, I just felt
6 like he was going to pop right back up with something in his

7 hand.

MURTILLO V. COTIA
8 DETECTIVE RHEAULT: Okay. Had his hands position

9 changed from when you fired your second round and, you know,
10 and -- and what you described with his whole shoulders
11 hunched and his hands at, you know, towards his center line
12 and fists. I understand --

13 OFFICER MARTINEZ: Yeah.

14 DETECTIVE RHEAULT: -- he was running towards you and
15 you described that at that point. When he's on the ground
16 and you fired the third round how -- what was his hand --
17 hand position?

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18 OFFICER MARTINEZ: I remember them still being tucked

19 in.

PROTECTIVE ORDER
20 DETECTIVE RHEAULT: Tucked.

21 OFFICER MARTINEZ: They weren't like out where I could
22 see them. They were tucked in still.

23 DETECTIVE RHEAULT: Okay.

24 OFFICER MARTINEZ: Yeah.

25 DETECTIVE RHEAULT: Did it vary in any way from how it

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1 was when he was running at you?

2 OFFICER MARTINEZ: No.

3 DETECTIVE RHEAULT: I'm sorry?

4 OFFICER MARTINEZ: No, they weren't. Yeah. They were
5 still tucked in. I couldn't see his hands at all. I can
6 see his fingers.

7 DETECTIVE RHEAULT: Couldn't -- couldn't see?

8 OFFICER MARTINEZ: Couldn't see his fingers.

9 DETECTIVE RHEAULT: Uh-huh.

10 OFFICER MARTINEZ: Couldn't see anything clearly. They
11 were still tucked in.

12 DETECTIVE RHEAULT: Okay.

13 OFFICER MARTINEZ: Yeah.

14 DETECTIVE RHEAULT: And now you fired a third shot.

15 What -- why did you not fire any additional rounds? What
16 did you see after firing your third?

17 OFFICER MARTINEZ: I seen him slow down and stop and,
18 you know, I heard everybody else coming around me and, you
19 know, I was a little shocked too so it took me awhile but I
20 felt that he -- his actions were stopped and he wasn't
21 moving anymore.

22 DETECTIVE RHEAULT: Okay.

23 OFFICER MARTINEZ: And I didn't feel that he was going
24 to just come at me anymore --

25 DETECTIVE RHEAULT: Okay.

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1 OFFICER MARTINEZ: -- at that point.

2 DETECTIVE RHEAULT: Did -- where -- where did the --
3 where's the knife at this point?

4 OFFICER MARTINEZ: At that point, I didn't see it.

5 ATTORNEY DAVID WINSLOW: Where did you believe it was?

6 OFFICER MARTINEZ: I believed it was either under him
7 or somewhere in the area. I -- I didn't -- I don't know
8 where it was. I didn't see it after that.

9 DETECTIVE RHEAULT: Oh, okay. Did you participate in
10 -- in the handcuffing --

OFFICER MARTINEZ: No, sir.

DETECTIVE RHEAULT: -- or any -- anything else? Okay.

All right. Detective Fuller?

DETECTIVE FULLER: I don't have any questions.

ATTORNEY DAVID WINSLOW: Nothing. Thanks.

DETECTIVE RHEAULT: Okay. Thank you. That -- that

will complete the scope of this interview. I'm going to
order you once again to not discuss this incident with

anybody. Do not -- no news, social media or any other type
of information until we complete your second interview.

OFFICER MARTINEZ: Yes, sir.

DETECTIVE RHEAULT: All right. The time now is 1550
hours and that will complete our interview.

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